

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LORINDA BROWN,

CASE NO.: 4:09-cv-3066-RGK-DLP

Plaintiff,

vs.

1. SORTINO ASSET MANAGEMENT
COMPANY, LLC, a Nebraska limited liability company,

2. BNS PROPERTY I, LLC, a Nebraska limited
liability company,

Defendants.

PLAINTIFF'S RESPONSE TO COURT'S MEMORANDUM AND ORDER,
DATED NOVEMBER 6, 2009

COMES NOW, Plaintiff, LORINDA BROWN, by and through the undersigned counsel, and hereby responds to the Court's Memorandum and Order, dated November 6, 2009 [Dkt# 43], as follows:

1. Counsel for the Plaintiff and counsel for Sortino Asset Management ("Sortino") have resolved the injunctive relief issues in the case that concern Sortino.
2. Sortino has made modifications to its property and has forwarded documentation and photographs confirming same.
3. In addition, the parties have reached an agreement regarding fees and costs.
4. Consistent with the above Plaintiff will not be serving Sortino and bringing it into the case.

Dated: 11/20/09

s/Stephan M Nitz
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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of November 2009, I electronically filed the foregoing document, Plaintiff's Response to the Court's Memorandum & Order, Dated Nov. 6, 2009 with the Clerk of the Court, and to the following ECF Registrants:

Gregory C. Scaglione, Esquire at greg.scaglione@koleyjessen.com,
J. Daniel Weidner, Esquire at Daniel.weidner@koleyjessen.com ; and to
Marvin L. Andersen, Esquire at marvin@bradleylawoffice.com and Michael P. Kneale at
mike@bradleylawoffice.com .

/s/ Stephan M. Nitz
Stephan M. Nitz

